

REMARKS

Claims 1-18 were examined by the Office, and in the final Office Action of June 25, 2008 all claims are rejected. With this response claims 1, 13 and 16-17 are amended. All amendments are fully supported by the specification as originally filed. Support for the amendments can be found at least from paragraphs [0011], [0012] and [0031] of Published Application No. 2006/0073821, which corresponds to the present application. Applicant respectfully requests reconsideration and withdrawal of the rejections in light of the amendments and following remarks.

This response is submitted along with a Request for Continued Examination (RCE).

Claim Rejections Under § 102

In section 3, on page 3 of the Office Action, claims 1-18 are rejected under 35 U.S.C. § 102(e) as anticipated by Robarts et al. (U.S. Appl. Publ. No. 2004/0002843). Applicant respectfully submits that claim 1 is not disclosed or suggested by Robarts, because Robarts fails to disclose or suggest all of the limitations recited in claim 1. Claim 1 is amended to clarify that the simulated message is presented via a standard communication functionality of the terminal device, and the standard communication functionality is configured to present messages received from a second device, therefore the simulated message has the appearance of a typical message received from the second device and presented via the standard communication functionality. Robarts at least fails to disclose or suggest that the device is able to receive messages from other devices, and that simulated messages triggered by an initiation event are present in the same way using the same functionality as the received messages, as recited in claim 1.

In contrast to claim 1, Robarts merely discloses that phenomenon events are sensed, but these events are not communications from other devices. Furthermore, Robarts discloses that in response to detected events, messages, i.e. questions, are displayed to the user. However, these messages are part of the game application, and are not presented in the same way as a message from another device via a standard communication functionality. In addition, the Office asserts that “standard communication functionality” corresponds to the fat client implementations of Robarts, in particular the sensing of values by the device. However, these functions are merely

standard device functions, and are not "communication" functions, as mentioned in claim 1. The term communication implies that information is conveyed from one terminal to another terminal, and communication does not mean only the detection of an event. Therefore, in Robarts the detected events and questions are not presented in the same manner as a message actually received by the device by a standard communication functionality, as recited in claim 1. For at least this reason, claim 1 is not disclosed or suggested by Robarts.

Independent claims 13 and 16-17 are amended to contain limitations similar to those recited in claim 1. Therefore, for at least the reasons discussed above in relation to claim 1, claims 13 and 16-17 are not disclosed or suggested by Robarts.

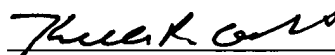
The claims depending from independent claims 1, 13 and 16-17 are also not disclosed or suggested by Robarts at least in view of their dependencies.

Conclusion

The rejections of the Office Action having been shown to be inapplicable, withdrawal thereof is requested, and passage to issue of the present application is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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Keith R. Obert
Attorney for Applicant
Registration No. 58,051

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building Five
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955